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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 10/618,980  | 07/14/2003  | Shalom Wertsberger   | 0327US-Shalom-Minder          | 5910             |
| 23521 7590 01/12/2007<br>SALTAMAR INNOVATIONS<br>30 FERN LANE<br>SOUTH PORTLAND, ME 04106 |             |                      | EXAMINER<br>KNOWLIN, THJUAN P |                  |
|   |             |                      | ART UNIT                      | PAPER NUMBER     |
|   |             |                      | 2614                          |                  |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE  | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS                               | 01/12/2007 | PAPER         |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/618,980

Applicant(s)

WERTSBERGER, SHALOM

Examiner

Thjuan P. Knowlin

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/14/03</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 5, 6, 8, 11-14, 16-25, 27, 30, 31, 33, 34, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Sauer (US 6,954,136).
2. In regards to claims 1, 17, 21, and 27, Sauer discloses an automated reminder apparatus and method (See Fig. 1) comprising: a telephony system interface (See Fig. 1 and user interface 120); an event receiver (See Fig. 1 and message memory 108) adapted to receive a plurality of reminder submissions via said telephone system interface (for example, via line 132), each submission comprises at least information related to a delivery time and a message, and directed to a subscriber that has at least one telephone device associated therewith (See col. 4 lines 31-33); a scheduler (e.g., broadcast schedule) adapted to produce an activation signal at said delivery time; and an event dispatcher (See Fig. 1 and broadcast circuit), coupled to said scheduler and adapted to connect to said telephone device and deliver said message as voice

message, responsive to said activation signal (See Abstract, col. 1 lines 46-54, and col. 2 lines 41-51).

3. In regards to claims 2, 18, and 22, Sauer discloses an automated reminder apparatus and method, further comprising a voice recorder adapted to record said message (See col. 1 lines 46-51).

4. In regards to claim 3, Sauer discloses an automated reminder apparatus, wherein the apparatus is constructed to receive one reminder submission for more than just one person, thus allowing a single message to be addressed to a group of individual subscribers (See col. 1 lines 46-57 and col. 5 lines 30-33).

5. In regards to claim 5, Sauer discloses an automated reminder apparatus, wherein said delivery time information is entered via a telephone keypad (See col. 2 lines 55-63).

6. In regards to claims 6 and 31, Sauer discloses an automated reminder apparatus, wherein said event receiver is constructed to prompt entry of the submission information using voice prompt (i.e., voice recognition) (See col. 2 lines 55-63).

7. In regards to claim 8, Sauer discloses an automated reminder apparatus, wherein said event receiver is constructed to accept scheduling information for repeated (i.e., rebroadcast) sending of same message according to a predetermined schedule (See col. 3 lines 40-57).

8. In regards to claims 11, 12, 14, 19, 20, 23, 24, and 25, Sauer discloses an automated reminder apparatus and method, wherein said event dispatcher is adapted to attempt delivery of said message to each of a plurality of telephone devices (i.e.,

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multiple addresses) associated with the subscriber until said message is successfully delivered (See col. 3 lines 40-57 and col. 4 lines 59-62).

9. In regards to claim 13, Sauer discloses an automated reminder apparatus, wherein is said message is not successfully delivered, a message (i.e., delivery status) notifying of the failure is sent to a telephone device (See col. 4 lines 11-30 and col. 5-6 lines 66-6).

10. In regards to claim 16, Sauer discloses an automated reminder apparatus, further comprising software to cause said apparatus to function as an automatic answering device (See col. 1 lines 63-67).

11. In regards to claim 30, Sauer discloses a method for providing reminders using a telephone, wherein said desired delivery time comprises a schedule of desired delivery times (See col. 5 lines 3-12).

12. In regards to claim 33, Sauer discloses a method for providing reminders using a telephone, wherein said message comprises a voice message (See col. 5 lines 37-43).

13. In regards to claim 34, Sauer discloses a method for providing reminders using a telephone, wherein said message comprises a voice message and further comprises the step of recording said message (See col. 5 lines 37-43).

14. In regards to claim 36, Sauer discloses a method for providing reminders using a telephone, further comprising the step of automatically presenting information about a schedule of a subscriber, in response to a telephone call inquiry (See col. 6-7 lines 47-5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 4, 7, 9, 10, 15, 26, 28, 29, 32, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sauer (US 6,954,136), in view of Jain et al (US 6,085,101).

16. In regards to claims 4, 26, and 32, Sauer discloses all of claims 4, 26, and 32 limitations, except wherein time information is entered via speech to text analysis. Jain, however, does disclose wherein time information is entered via speech to text analysis (See col. 8 lines 29-39). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this feature within the system, as a way of providing a user/subscriber with the ability to receive and send the recipient addresses in different formats, such as telephone numbers, facsimile numbers, or e-mail addresses. For example, one recipient may receive the message as facsimile transmission over the PSTN, and another recipient may receive the same message as an e-mail over the Internet.

17. In regards to claims 7 and 35, Sauer discloses all of claims 7 and 35 limitations, except wherein said event receiver is further adapted to receive reminder submissions, and management information from a data network. Jain, however, does disclose wherein said event receiver is further adapted to receive reminder submissions, and

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management information from a data network (i.e., Internet or SS7 network) (See col. 6 lines 37-46 and col. 9 lines 20-22).

18. In regards to claims 9, 10, and 29, Sauer discloses all of claims 9, 10, and 29 limitations, except an authentication manager for performing at least operation from a list consisting of authenticating a submitter, authenticating the subscriber, and authenticating the submitter's authority to send the reminder to one or more telephone devices. Jain, however, does disclose an authentication manager for performing at least operation from a list consisting of authenticating a submitter, authenticating the subscriber, and authenticating the submitter's authority to send the reminder to one or more telephone devices (See col. 7 lines 22-30).

19. In regards to claim 15, Sauer discloses all of claim 15 limitations, except a ring generator having a ring output, and the apparatus is constructed to apply the ring output to the second telephony interface for delivery of message a telephone within the subscriber premises. Jain, however, does disclose a ring generator having a ring output, and the apparatus is constructed to apply the ring output to the second telephony interface for delivery of message a telephone within the subscriber premises (See col. 10 lines 26-42).

20. In regards to claim 28, Sauer discloses all of claim 28 limitations, except wherein said reminder server is integrated within an SS7 node. Jain, however, does disclose wherein said reminder server is integrated within an SS7 node (See col. 9 lines 20-22).

**Conclusion**

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lewis et al (US 6,738,635) teach a wireless schedule notification method and system. Selent (US Patent Application, Pub. No.: US 2002/0191035 A1) teaches a computerized customizable scheduler.
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.
23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN US OR CANADA) or 571-272-1000.

THJUAN P. KNOWLIN  
PATENT EXAMINER  
TECHNOLOGY CENTER 2600

